

**ROCK CREEK
PLANNING COMMISSION
APPROVED MINUTES
November 26, 2024**

Chair Curt Kubesh called the Planning Commission meeting to order at 7:00PM.

Members present:

Curt Kubesh, Dillon Barton, Josh Froelich, Chad Pasch, Oliver Rauschnot

Members Absent:

Donnie Peterman III, Dan Saumer

Others present:

Don Ramberg (Sitting in for Dan Saumer), Ashley Rauschnot, Don Burger, Loreal Lindstrom, Craig Saari, Chelsy Lindman, Wayne and Jennifer Elliott, "Curly" and Allison, Howard and Loretta Anderson, Laura Gillette, Blake and Brittany Rands,

Pledge of Allegiance

Public Forum

Residents mistakenly thought that this was the chance to talk about Josh Froelich's Nature Shores Resort: CUP-24-003. These are the summaries of what each person said.

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|-----------------|---|
| Wayne Elliott | He said that he doesn't want a business down the road, he doesn't want traffic, and he doesn't want his taxes to go up. He stated that he does not want this. He said he didn't buy a cabin up north because his house is supposed to be his peace and quiet and his retirement. He also said he can no longer walk up and down the road and he can't ride his horses. He said if you want a campground, you can go 2.5 miles up the road to Grantsburg. He also mentioned that the construction vehicles during the construction process will trash the road very quickly. |
| Laura Gillette | She said that she has 12 years in the military and that she wished she knew that there were going to be firearms competitions at Froelich's because that has been a struggle. She also mentioned that she has concerns with the extra trash from the resort bringing in predators for her livestock and chickens. |
| Howard Anderson | He said that when something grows, it keeps growing. He asked how big the business will get and how much busier will traffic be? He said the road also has a history of flooding and that they can't have people stranded. He said fixing the roads will cost taxpayers money. He said his mother-in-law lives down the road and is on a fixed income and cannot afford more taxes. He said he lives here because it is quiet and now Josh wants to change it to fit him. |

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Loretta Anderson She says her mom had originally sent in a letter but changed her mind. She also stated her concerns on the increased traffic and speeds.

Allison (Curly's Girlfriend) wanted to speak, but was too upset. Jennifer Elliott stepped up to speak on her behalf.

Jennifer Elliott She said that she guesses she is speaking on behalf of multiple people tonight. She said she spoke with John Gerner, who is angry with all of the traffic, but he asked her what is the point of coming down to the meeting because he's just going to do whatever he wants anyway. She also said that they are not a community, they are all neighbors, even if they live miles apart. She said that Curly is her son and he has PTSD from the military. He can't bring his dog that he brought home from Afghanistan on a walk anymore. She said it is no longer a peaceful road. She asked what happens when Josh gets tired of being a business owner – what happens to the resort? She said that most of the property on that stretch of road has been passed down from generations and will continue to get passed down. She also asked about having a livestock sign put up for her animals safety.

Brittany Rands She said that she purchased her house from her Grandparents and that she plans to pass it on to her children. She said she learned how to ride a bike on Nature Ave, but she cannot teach her kids how to ride a bike on the road now, as it is too busy. She is concerned about her family's safety from the traffic. She suggested a speed limit sign to slow traffic down. She also mentioned asking Josh if he could put out a welcome email to all resort customers that they have to drive slowly when coming down the road.

Oliver Rauschnot motioned seconded by Josh Froelich to approve the October 21, 2024 minutes as sent. Motion passed with all ayes, with Chad Pasch abstaining because he was not present at that meeting.

Josh Froelich recused himself from the discussion as a planning commission member.

CUP-24-003: Josh Froelich - Nature Shores Resort

Josh Froelich was present to give a summary and presentation of his plans for Nature Shores Resort. He also addresses many questions that residents asked.

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Josh said that the traffic down the road will not increase. He stated that the firearms business competes with the Nature Shores Resort. He said that he cannot have guess from the cities coming up for a peaceful weekend camping and having firearms going off all weekend. Therefore, the decreased traffic from the lack of firearms activities will be a wash to the increased traffic for the resort.

He stated that for 2024 he had firearms events for March, April, May, June, July, and August. He said for next year he already has interested resort stayers for June, July, and August, which means that there will be no firearms events these months.

He stated that having a successful resort trumps the gun range. The resort will bring in more revenue than the gun range.

He stated that currently he only has 20 visitors per week, plus two employees. He thinks on a busy weekend it might be 50 vehicles.

Josh reminded everyone that this will not be a campground with a bunch of campers. It is going to be 7 tiny cabins.

Addressing concerns from citizens about children wandering onto neighboring properties. Josh stated that he lives right there and he is not concerned and that the nearest neighbor is over ½ mile away.

Josh told everyone that the noise pollution for the area will decrease due to the decrease in firearms events.

Josh said that this resort is his retirement plan. He travels all over the country currently for the shooting competitions and he plans to retire on this property running the resort for his peace and quiet.

Josh stated that he is \$32,000 deep between wetland delineation, septic designs, etc and that he would really like to move forward with this project.

Josh mentioned that this resort will bring people and revenue to the City and that he doesn't see how taxes will go up for residents on the road.

Josh stated that he is willing to pay for speed limit and livestock signs to be posted on the road, per residents' requests.

Josh suggested adding a condition on the permit saying that he must state in his welcome letter/email to guests that all traffic signs must be abided by or they will be kicked out.

Josh said that he will talk to his employee (a young 18-year-old farm kid) about driving more respectfully on the road currently.

Josh said that there will be no side by sides, four-wheelers, or snowmobiles allowed at the resort.

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Josh offered a property tour to all neighbors. He stated he wants to be a good neighbor and encouraged them all to stop by for a personal tour of his plan.

Per Don Burger's request, Curt Kubesh explained to the audience the difference between Public Forum and Public Hearing.

Ashley read the public notice for the public hearings tonight:

Notice is hereby given that the Rock Creek Planning Commission will conduct two public hearings on Tuesday November 26, 2024 at 7PM at the Rock Creek City Center.

The purpose of the first public hearing is to take comments on Josh Froelich starting up and operating a Campground/Resort on property described as R43.0113.001, 50 acres Sect-23 Twp-038 Range-020 50.00 AC Southeast 1/4 of Southwest 1/4 and that part of Northeast 1/4 of Southwest 1/4 Lying South of North 990 ft Thereof. Subj to Public Rd Along West Line Micro #378446-447,554791 Pine County, MN

The purpose of the second public hearing is to take comments on adopting two new ordinances for THC and Cannabis for the City of Rock Creek, Pine County, MN.

Interested persons are invited to attend this public hearing and be heard on this matter. Letters are also welcomed and can be submitted by:

Email at: arauschnot@cityofrockcreek.org

Mail at: City of Rock Creek, 7000 State Hwy 70, Pine City, MN 55063

The Planning Commission shall hold their regular meeting immediately following the public hearings.

The City did receive one letter from Mary Shermer that read:

"City of Rock Creek, I figure if Josh has land, he should do what he wants with it. Government does. I see nothing wrong with what he's doing. Mary F. Shermer"

At the meeting, Ashley Rauschnot was handing another letter from Mary Shermer that read:

"11-26-24 I changed my mind about the vote. They say our taxes will go up, mine are already too high. Mary F. Shermer."

Chair Curt Kubesh called the Public Hearing to Order: CUP-24-003: Josh Froelich: Nature Shores Resort at 7:43PM

- Don Burger: "If I may sit here, Don Burger, my comments are in the context of having been on Planning Commission years and years ago. Live on Croix Lane which is basically just due east of you folks. We have a very different but a closed

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loop road, it's technically a platted subdivision and so I come from the context of being familiar when we've had residents that come up on weekends and bring their kids and bring their ATVs and so forth and I think that you've got a different shaped road, but you have more control than just a little racetrack if you will. So, it's got a lot to do with how the neighbors communicate. Because we also have a neighborhood deal too. But essentially my perspective from planning commission is that where this property is and what Croix Lane Ostrand St. Croix Vista used to be was part of the recreational district and um without spending weeks and weeks for each of you to read through the ordinance book and so forth. Essentially this use is permitted in this district and so this process, and it's quite elaborate, is what establishes all of the requirements that Josh may be asking for something, he's going to, he's entitled to get a conditional use for this use, but his idea of what he's going to do there versus what the City is going to permit and set requirements for performance and enforcement of them, of him of the City giving him permission to do something along the lines of what he's requesting here."

- Don Ramberg: "I guess I have a question here. Entitled to a conditional use?"
- Don Burger: "With Conditions"
- Don Ramberg: "OK"
- Don Burger: "So, the point of it is is that the use may end up, the City can not just say Ok the neighbors don't like this, you can't do anything here Josh. It's a permitted use, the issue is how detailed and how restricted the conditions are. And just for his application process so far, he's, aside from the dollar amount, he's, this is the first time the City of Rock Creek has done a Planned Unit Development Process and I won't get into that, but the rest of the meeting and going forward is going to establish the restrictions that he has to be allowed his permit for, you know he's going to have to perform to certain standards, we may not always like them, but the idea of having this campground/resort. It's an ordinance, it requires the PUD process to execute it and set these parameters on here. So, I'll stop with that, because I'm sure the Planning Commission will get into it. So, I will read my brief comments that were kind of amended from when the public hearing was held back in August. Um, I am an enthusiastic supporter of Josh's concept as outlined in his Nature Shores PDF and the August Planned Unit Development guidance report from Municipal Development Group. It checks many of the "boxes" that will benefit the City in general and has the potential to be quite compatible within the "neighborhood". Since this is the first use of the revised campground and the existing PUD ordinances, it's important to detail the ways that this project fulfills the process requirements in its "findings of fact and decision" that you recommend to the Council. Thank you."

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Chair Curt Kubesh closed the Public Hearing for: CUP-24-003: Josh Froelich: Nature Shores Resort at 7:47PM

- Planning Commission members talked about adding speed limit signs and asked Curt Kubesh what that entails. Curt Kubesh said that he had looked into it in the past and that any road in the City needs permission from the State to put up a speed limit sign, but that can only be done after a Car County Study is completed and then reviewed by the State. He said he ran into upper-level politics that seemed more work than it was worth at the time.
- Oliver Rauschnot said that the City roads are only getting busier and suggested that more road signs are needed in general across many City roads currently.
- Curt Kubesh mentioned that more traffic means more grading time on the road.
- Residents voiced concerns over the road's history of flooding.
- Josh Froelich said that the culvert size was doubled last year after the spring flooding.
- Howard Anderson said that's not the only spot the road floods.
- Oliver Rauschnot asked what makes resort customer safety more important than resident safety? If the road is that bad, the City needs to just fix it once and for all.
- Planning Commission members then discussed each condition suggested by John Anderson again, and added some extra conditions as well. And also want to include all mandatory conditions already set forth with the Campground/Resort ordinance.

Curt Kubesh motioned seconded by Oliver Rauschnot to recommend for approval to the City Council CUP-24-003 Josh Froelich: Nature Shores Resort with the following conditions:

1. Submit a copy of all annual renewals with State Licensing from the MN Department of Health.
2. Submit Certificates of Liability Insurance on an annual basis.
3. Hours of Quiet Time from 10pm – 7am.
4. Dust control with water as needed.
5. Annual Septic Inspection with Flow Rates Logged
6. The owner of the resort must specify in a welcome email/letter to all incoming visitors that all road signs must be followed and speed limits shall not exceed 30 mph on Nature Ave or the owner of the resort has the ability to terminate their

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- rental.
7. DNR Review – Since the property is located in the SL Shoreland Overlay District, the plans and proposal shall be submitted to the Minnesota DNR for review and comment.
 8. SL Shoreland Overlay District – The property is located in the SL Shoreland Overlay District for the City of Rock Creek and therefore all shoreland rules apply and the plans and proposal shall incorporate any DNR comments into the approval.
 9. Wetland Delineation – A wetland delineation will be required to be submitted and if any impacts are proposed, a wetland replacement plan will be required to be submitted to the appropriate agencies and approved prior to construction.
 10. Signs – No signs shall be constructed or installed until appropriate sign permits are reviewed and approved by the City and all signs meet the requirements of Section 1000.23 Signs in the zoning ordinance of the municipal code for the City of Rock Creek.
 11. Septic System and Well Permits – All required permits from all applicable jurisdictions will be required to be approved prior to any construction starting on the site. This includes meeting the required setbacks to the lake and wetlands located on the site.
 12. Survey Submittal – A surveyed set of plans and civil drawings shall be required showing the required PUD submittal contents as listed under Section 1000.16 PUD Planned Unit Development Overlay District, Subdivision 5: PUD Process and Contents of Zoning Ordinance for the City of Rock Creek. This shall include delineated wetlands, access road locations, structure setbacks, topography, a grading plan, etc.
 13. Service Road Access to all resort sites. A strip of land with a minimum of sixty feet shall be reserved for a service road right of way providing access to all resort sites.
 14. Parking – All parking shall be located off the service road and each site shall have designated parking spots (not to exceed 2 vehicles per site) which shall be shown on the surveyed plan submittal.
 15. Additional Permits – The applicant/owner shall be required to meet the requirements of the State of Minnesota rules for Camps and Manufactured Home Parks under chapter 4630 of the Minnesota state statutes and rules for Lodging Establishments under chapter 4625 of the Minnesota State Statutes.
 16. Campground/Resort Ordinance #77 – The proposed campground/resort shall

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follow, in its entirety, Ordinance #77: Campground/Resort Ordinance of the Rock Creek Municipal Code. || *See Exhibit A*

17. Storm Shelter – A storm shelter shall be required in a size sufficient to accommodate all occupants of the campground/resort.

Motion passed with all ayes, with Don Ramberg abstaining from the vote.

Josh Froelich returned as a member to the Planning Commission meeting.

Ordinance Drafts for THC and Cannabis

Planning Commission members all stated that they like these drafts as something to start with. Knowing that they will need to be amended, probably several times, after the January 1, 2025 as we get more information from the State.

Josh Froelich said that he really likes the Royalton’s Cannabis ordinance draft that focuses more on the Cultivation side.

Members stated that we can always amend this ordinance in the future, but that we have a good base to start with in these drafts.

Chair Curt Kubesh called the Public Hearing to Order: Ordinance Drafts for THC and Cannabis at 8:45pm.

- Craig Saari: “Name is Craig Saari. We were just looking over it there and just a quick question, I guess. You’re only allowing 1 retail spot according to this ordinance? Is that for everything? The drinks and”
- Curt Kubesh: “No, the drinks are already in by the State”
- Craig Saari: “Ok”
- Curt Kubesh: “The State already has control of that”
- Ashley Rauschnot “They can answer your questions after the public hearing closes.”
- Craig Saari: “Oh ok, it was just for clarification. We saw it in there and that is all.”

Chair Curt Kubesh closed the Public Hearing for Ordinance Drafts for THC and Cannabis at 8:46pm.

Curt Kubesh and Ashley Rauschnot clarified to Craig Saari that the retail sales outlined in these drafts are for items containing 10mg or more of THC. These items all need to be sold in a building, with separate entrances and employees. Therefore, they could not just sell them in the Pit Stop liquor store. Basically, a whole new building would need to be constructed. Therefore, the thought is that only 1 license is needed for that. The 10mg and less THC items can be sold in conjunction with the liquor stores per State

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Law already.

Oliver Rauschnot motioned seconded by Curt Kubesh to recommend for approval to the City Council the Ordinance Drafts for THC and Cannabis. Motion passed with all ayes, with Don Ramberg abstaining from the vote.

Old Business:

Site Award Presentation: Curt Kubesh presented the Site Award Plaque to the Planning Commission and said that himself and Vice Chair, Oliver Rauschnot, will go to S & S Springs sometime next week to present the award to them.

Before the meeting adjourned, Oliver Rauschnot asked if the City has a car counter? He suggested that we get one to assess all roads within the City. Don Ramberg and Curt Kubesh said they have talked about it in the past and will bring it up to the Council again.

Dillon Barton motioned seconded by Josh Froelich to adjourn at 8:55 PM. Motion passed with all ayes.

Ashley Rauschnot
Deputy Clerk